

**United States District Court, Northern District of Illinois**

<b>Name of Assigned Judge or Magistrate Judge</b>	James F. Holderman	<b>Sitting Judge if Other than Assigned Judge</b>	Maria Valdez
<b>CASE NUMBER</b>	07 C 1367	<b>DATE</b>	10/30/2009
<b>CASE TITLE</b>	BCS Services, Inc vs. Heartwood 88, Inc. Et al		

**DOCKET ENTRY TEXT**

Joseph Varan did not appear at the hearing on 10/29/09. For the reasons stated on this order, the Court orders that default judgment be entered against Joseph Varan.

■ [ For further details see text below.]

Docketing to mail notices.

**STATEMENT**

On 8/26/09, Plaintiffs Phoenix Bond & Indemnity Co. and BCS Services, Inc. (collectively, "Plaintiffs") filed a Motion to Compel Joseph Varan's Responses to Written Discovery [Doc. No. 564]. On 9/01/09, this Court granted the motion and ordered Joseph Varan ("Varan") to respond to each of the requests within seven (7) days [Doc. No. 568]. The court ordered Plaintiffs to deliver a copy of the order to Varan. Plaintiffs delivered the order via U.S. mail and e-mail. Varan failed to comply.

On 10/8/09, Plaintiffs filed Motion to Compel Joseph Varan's Responses to Interrogatories [Doc. No. 604] and a Petition for a Rule to Show Cause [Doc. No. 605]. The motion and petition were granted on 10/13/09, and Varan was ordered to appear on 10/20/09 to show cause why he should not have been held in contempt for failure to comply with the Court's order dated 9/01/09 [Doc. No. 612]. The 10/13/09 order was mailed to 306 E. First St., Hinsdale, IL 60521, Varan's last known address, by the Court via U.S. mail.

Varan failed to appear at the 10/20/09 hearing, and the Court issued a second rule to show cause as to Varan for 10/29/09 [Doc. No. 618]. In that order, the Court stated that Varan "could face sanctions of default judgment if he fail[ed] to appear [on 10/29/09]." As directed by the Court, a copy of the 10/20/09 minute order was mailed to Varan's last known address (listed above) on 10/22/09 via Federal Express # 8619-9823-0495.

Varan did not appear at the hearing on 10/29/09. For the reasons above, the Court orders that default judgment be entered against Joseph Varan.